

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHERYL MARIE of the
Lynch family, *et al.*,

Plaintiffs,

v.

BRET WITKOWSKI,

Defendant.

CASE NO. 1:16-CV-282

HON. ROBERT J. JONKER

ORDER DENYING MOTION FOR RECONSIDERATION

On March 21, 2016, the Court entered an Order denying plaintiff's motion for temporary restraining order (docket #4). On March 24, 2016, plaintiff filed a motion for clarification of the order denying the temporary restraining order (docket #9). The Court will construe this motion as one for reconsideration.

The Court has reviewed Plaintiff's motion for reconsideration and finds that an answer and oral argument on the motion are unnecessary. See W.D. Mich. L.Civ.R. 7.4 ("No answer to a motion for reconsideration will be allowed unless requested by the Court Any oral argument on a motion for reconsideration is reserved to the discretion of the Court.").

Plaintiff fails to carry its burden of demonstrating that the motion for reconsideration should be granted. Rule 7.4 of the Western District of Michigan's Local Rules of Civil Procedure provides: (a) Grounds - Generally, and without restricting the discretion of the Court, motions for reconsideration which merely present the same

issues ruled upon by the Court shall not be granted. The movant shall not only demonstrate a palpable defect by which the Court and the parties have been misled, but also show that a different disposition of the case must result from a correction thereof.

Plaintiff's motion simply recapitulates and incorporates the arguments in his previous filings. It does not present new issues, demonstrate a palpable defect by which the Court and parties have been misled, or demonstrate a defect that necessitates a different disposition of the case.

ACCORDINGLY, IT IS ORDERED that Petitioner's Motion for Reconsideration (docket # 9) is **DENIED**.

/s/ Robert J. Jonker
ROBERT J. JONKER
CHIEF UNITED STATES DISTRICT JUDGE

Dated: March 25, 2016